

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

LATOYA BROWN,

Plaintiff,

v.

EXPERIS US, INC.,

Defendant.

Civil Action No. 1:21-cv-00857

NOTICE OF REMOVAL

EXHIBIT A

MONTEITH LAW, PLLC

CHARLES E. MONTEITH, JR.
ATTORNEY AT LAW

9121 ANSON WAY, SUITE 200
RALEIGH, NORTH CAROLINA 27615
TELEPHONE NO. (919) 987-1052
FACSIMILE NO. (984) 777-5435
EMAIL: CHARLES@MONTEITHLAWNC.COM

October 4, 2021

VIA FEDEX

Experis US, Inc.
CT Corporation System
160 Mine Lake Court, Suite 200
Raleigh, NC 27615

RE: *LaToya Brown v. Experis, US, Inc.*

Dear Registered Agent:

Enclosed please find copies of the Civil Summons, Complaint and General Civil Action Cover Sheet that I filed on behalf of my client, LaToya Brown.

Please feel free to contact me should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'CEM' followed by a large checkmark.

Charles E. Monteith, Jr.

Enclosures (3)

STATE OF NORTH CAROLINA

File No.

Durham County

In The General Court Of Justice
☐ District ☒ Superior Court Division

Name Of Plaintiff

LaToya Brown

Address

2407 Scots Pine Crossing

City, State, Zip

Durham, NC 27713

VERSUS

Name Of Defendant(s)

Experis US, Inc.

Date Original Summons Issued

Date(s) Subsequent Summons(es) Issued

CIVIL SUMMONS

☐ ALIAS AND PLURIES SUMMONS (ASSESS FEE)

G.S. 1A-1, Rules 3 and 4

To Each Of The Defendant(s) Named Below:

Name And Address Of Defendant 1

Experis US, Inc.

CT Corporation System

160 Mine Lake Ct, Ste 200

Raleigh, NC 27615

Name And Address Of Defendant 2



IMPORTANT! You have been sued! These papers are legal documents, DO NOT throw these papers out! You have to respond within 30 days. You may want to talk with a lawyer about your case as soon as possible, and, if needed, speak with someone who reads English and can translate these papers!

¡IMPORTANTE! ¡Se ha entablado un proceso civil en su contra! Estos papeles son documentos legales. ¡NO TIRE estos papeles!

Tiene que contestar a más tardar en 30 días. ¡Puede querer consultar con un abogado lo antes posible acerca de su caso y, de ser necesario, hablar con alguien que lea inglés y que pueda traducir estos documentos!

A Civil Action Has Been Commenced Against You!

You are notified to appear and answer the complaint of the plaintiff as follows:

1. Serve a copy of your written answer to the complaint upon the plaintiff or plaintiff's attorney within thirty (30) days after you have been served. You may serve your answer by delivering a copy to the plaintiff or by mailing it to the plaintiff's last known address, and
2. File the original of the written answer with the Clerk of Superior Court of the county named above.

If you fail to answer the complaint, the plaintiff will apply to the Court for the relief demanded in the complaint.

Name And Address Of Plaintiff's Attorney (if none, Address Of Plaintiff)

Charles E. Monteith, Jr.

Monteith Law, PLLC

9121 Anson Way, Suite 200

Raleigh, NC 27615

Date Issued

SEP 27 2021

Time

9:47

☐ AM☐ PM

Signature

Monica M. Richardson

☒ Deputy CSC☐ Assistant CSC☐ Clerk Of Superior Court☐ ENDORSEMENT (ASSESS FEE)

This Summons was originally issued on the date indicated above and returned not served. At the request of the plaintiff, the time within which this Summons must be served is extended sixty (60) days.

Date Of Endorsement

Time

☐ AM☐ PM

Signature

☐ Deputy CSC☐ Assistant CSC☐ Clerk Of Superior Court

NOTE TO PARTIES: Many counties have **MANDATORY ARBITRATION** programs in which most cases where the amount in controversy is \$25,000 or less are heard by an arbitrator before a trial. The parties will be notified if this case is assigned for mandatory arbitration, and, if so, what procedure is to be followed.

(Over)

RETURN OF SERVICE

I certify that this Summons and a copy of the complaint were received and served as follows:

DEFENDANT 1

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
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- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

DEFENDANT 2

Date Served	Time Served <input type="checkbox"/> AM <input type="checkbox"/> PM	Name Of Defendant
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- ☐ By delivering to the defendant named above a copy of the summons and complaint.
- ☐ By leaving a copy of the summons and complaint at the dwelling house or usual place of abode of the defendant named above with a person of suitable age and discretion then residing therein.
- ☐ As the defendant is a corporation, service was effected by delivering a copy of the summons and complaint to the person named below.

Name And Address Of Person With Whom Copies Left (if corporation, give title of person copies left with)

- ☐ Other manner of service (specify)

- ☐ Defendant WAS NOT served for the following reason:

Service Fee Paid \$	Signature Of Deputy Sheriff Making Return
Date Received	Name Of Sheriff (type or print)
Date Of Return	County Of Sheriff

STATE OF NORTH CAROLINA **IN THE GENERAL COURT OF JUSTICE**
COUNTY OF DURHAM **SUPERIOR COURT DIVISION**
 2021 SEP 27 A 9:47 **CVS**

DURHAM CO. C.S.C.
 BY _____

LATOYA BROWN,

Plaintiff,

v.

EXPERIS US, INC.,

Defendant.

COMPLAINT
(JURY TRIAL DEMANDED)

I. PARTIES

1) Plaintiff LaToya Brown (hereinafter "Plaintiff") is, and at all times relevant to this action was, a citizen and resident of Durham County, North Carolina.

2) Defendant Experis US, Inc. (hereinafter "Defendant") is, and at all times relevant to this action was, a corporation duly organized and existing under the laws of the state of Wisconsin, registered with the North Carolina Secretary of State, and maintained offices in Durham County, North Carolina.

3) Upon information and belief, Defendant employs in excess of five thousand (5,000) employees.

II. JURISDICTION AND VENUE

4) This court has subject matter jurisdiction over this action pursuant to N.C.G.S. §§ 7A-240, 7A-243 and 42 U.S.C. § 2000e-5(f)(3).

5) This court has personal jurisdiction over the Defendant in this matter pursuant to N.C.G.S. § 1-75.4.

6) The actions complained of by Plaintiff occurred within Durham County, North Carolina, where Defendant has offices.

7) Venue is properly laid in this Court pursuant to N.C.G.S. § 1-82.

III. FACTS

8) Plaintiff, an African American female, began her employment with Defendant on or about May 1, 2017 as a data analyst. Defendant assigned Plaintiff to perform services for Cisco as part of its Collaboration Technology Group (hereinafter “CTG”).

9) In July 2017, Plaintiff was promoted to the team leader for CTG’s flex plan team. As a team leader, Plaintiff managed a team of six employees.

10) In March 2018, Plaintiff was given a positive performance evaluation and a pay increase by her manager, Christian Roehm.

11) In November 2018, Diane Whitmore, a white female, replaced Roehm as Plaintiff’s manager and direct supervisor. Whitmore also supervised Matt Brantley, the team leader for CTG’s perpetual operations team.

12) Brantley, a white male, had been promoted to a team leader position in July 2018 -- one year after Plaintiff was promoted to a different team leader position.

13) In or around November 2018, Plaintiff noticed that Whitmore treated Plaintiff differently than she treated Brantley. Whitmore frequently asked for Brantley’s input on matters that were related to the team managed by Plaintiff. Whitmore was openly hostile to any

suggestions made by Plaintiff. In contrast, Whitmore welcomed and encouraged suggestions from Brantley.

14) On March 24, 2019, Plaintiff emailed Jennifer Allen, a People and Culture Consultant with Defendant. Plaintiff informed Allen that Plaintiff was being discriminated against on account of her race and sex.

15) On April 25, 2019, Allen called Plaintiff and stated that Plaintiff's discrimination complaints had been investigated. Allen also told Plaintiff that the investigation did not substantiate Plaintiff's complaints of discrimination.

16) On April 26, 2019, Plaintiff discovered that her access to Cisco's network had been terminated. Plaintiff then called April Page, Defendant's project coordinator. Paige informed Plaintiff that the Plaintiff had been discharged from employment. Paige further stated that Plaintiff had been discharged for alleged poor performance.

17) Plaintiff then contacted Renee Gresham, Defendant's Consultant Client Manager and asked why she had been discharged. Gresham stated that Plaintiff was discharged for "business reasons."

IV. JURISDICTIONAL ALLEGATIONS

18) On October 21, 2019, Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission (hereinafter "EEOC") and asserted that she had been discharged from her job in retaliation for filing a complaint of race and sex discrimination with Defendant.

19) On June 29, 2021, the EEOC mailed Plaintiff a right to sue letter. Plaintiff received the right to sue letter on June 30, 2021.

20) Plaintiff has exhausted all applicable administrative remedies.

V. CLAIM FOR RELIEF

VIOLATION OF 42 U.S.C. §2000e-2

21) Plaintiff incorporates herein the allegations of paragraphs 1-20 of this Complaint as if fully set forth herein.

22) Plaintiff engaged in protective activity under Title VII of the Civil Rights Act of 1964, as amended, when she informed Jennifer Allen, Defendant's People and Culture Consultant, the Plaintiff was being discriminated against on account of her race and sex.

23) Defendant discharged Plaintiff in retaliation for Plaintiff making a complaint of race and sex discrimination with Defendant.

24) At the time of her discharge from employment, Plaintiff was performing her job duties in a satisfactory manner.

25) As a result of Defendant's actions, Plaintiff has suffered lost wages, benefits, pain and suffering, mental and emotional distress and other economic losses.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays the Court:

- 1) For judgment against Defendant for compensatory damages in a sum in excess of Twenty-Five Thousand Dollars (\$25,000.00);
- 2) For a judgment declaring the employment practices of Defendant alleged herein to be unlawful;
- 3) For recovery of Plaintiff's costs herein, including a reasonable attorney's fee and prejudgment interest from the date of the filing of this complaint;
- 4) For such other relief to which Plaintiff may be entitled in law or in equity; and,

5) Trial by jury is hereby demanded as to all issues so triable.

This the 27th day of September 2021

BY: _____



Charles E. Monteith, Jr.
Attorney for Plaintiff
NC State Bar No. 9368
Monteith Law, PLLC
9121 Anson Way, Suite 200
Raleigh, North Carolina 27615
Telephone No. (919) 987-1052
Facsimile No. (984) 777-5435

STATE OF NORTH CAROLINA

File No.

Durham

County

FILED

In The General Court Of Justice

☐ District ☒ Superior Court Division

Name And Address Of Plaintiff 1

LaToya Brown

2407 Scots Pine Crossing

Durham, NC 27713

2021 SEP 27 A 9:46

DURHAM CO. C.O.C.

BY

GENERAL

CIVIL ACTION COVER SHEET

☒ INITIAL FILING ☐ SUBSEQUENT FILING

Name And Address Of Plaintiff 2

Rule 5(b) of the General Rules of Practice for the Superior and District Courts

VERSUS

Name And Address Of Defendant 1

Experis US, Inc.

CT Corporation System

160 Mine Lake Ct Ste 200

Raleigh, NC 27615

Name And Address Of Attorney Or Party, If Not Represented
(complete for initial appearance or change of address)

Charles E. Monteith, Jr.

Monteith Law, PLLC

9121 Anson Way, Suite 200

Raleigh, NC 27615

Summons Submitted

☒ Yes ☐ No

Telephone No.

919 987-1052

Cellular Telephone No.

919 624-4196

NC Attorney Bar No.

9368

Attorney Email Address

charles@monteithlawnc.com

Name And Address Of Defendant 2

☒ Initial Appearance in Case ☐ Change of Address

Name Of Firm

Monteith Law, PLLC

Fax No.

984 777-5435

Summons Submitted

☐ Yes ☐ No

Counsel For

☒ All Plaintiffs ☐ All Defendants ☐ Only: (list party(ies) represented)☒ Jury Demanded In Pleading ☐ Complex Litigation ☐ Stipulate to Arbitration

TYPE OF PLEADING

(check all that apply)

- ☐ Amend (AMND)
- ☐ Amended Answer/Reply (AMND-Response)
- ☐ Amended Complaint (AMND)
- ☐ Assess Costs (COST)
- ☐ Answer/Reply (ANSW-Response) (see Note)
- ☐ Change Venue (CHVN)
- ☒ Complaint (COMP)
- ☐ Confession Of Judgment (CNFJ)
- ☐ Consent Order (CONS)
- ☐ Consolidate (CNSL)
- ☐ Contempt (CNTP)
- ☐ Continue (CNTN)
- ☐ Compel (CMPL)
- ☐ Counterclaim (CTCL) Assess Court Costs
- ☐ Crossclaim (list on back) (CRSS) Assess Court Costs
- ☐ Dismiss (DISM) Assess Court Costs
- ☐ Exempt/Waive Mediation (EXMD)
- ☐ Extend Statute Of Limitations, Rule 9 (ESOL)
- ☐ Extend Time For Complaint (EXCO)
- ☐ Failure To Join Necessary Party (FJNP)

- ☐ Failure To State A Claim (FASC)
- ☐ Implementation Of Wage Withholding In Non-IV-D Cases (OTHR)
- ☐ Improper Venue/Division (IMVN)
- ☐ Including Attorney's Fees (ATTY)
- ☐ Intervene (INTR)
- ☐ Interplead (OTHR)
- ☐ Lack Of Jurisdiction (Person) (LJPN)
- ☐ Lack Of Jurisdiction (Subject Matter) (LJSM)
- ☐ Modification Of Child Support In IV-D Actions (MSUP)
- ☐ Notice Of Dismissal With Or Without Prejudice (VOLD)
- ☐ Petition To Sue As Indigent (OTHR)
- ☐ Rule 12 Motion In Lieu Of Answer (MDLA)
- ☐ Sanctions (SANC)
- ☐ Set Aside (OTHR)
- ☐ Show Cause (SHOW)
- ☐ Transfer (TRFR)
- ☐ Third Party Complaint (list Third Party Defendants on back) (TPCL)
- ☐ Vacate/Modify Judgment (VCMD)
- ☐ Withdraw As Counsel (WDCN)
- ☐ Other (specify and list each separately)

NOTE: All filings in civil actions shall include as the first page of the filing a cover sheet summarizing the critical elements of the filing in a format prescribed by the Administrative Office of the Courts, and the Clerk of Superior Court shall require a party to refile a filing which does not include the required cover sheet. For subsequent filings in civil actions, the filing party must include either a General Civil (AOC-CV-751), Motion (AOC-CV-752), or Court Action (AOC-CV-753) cover sheet.

(Over)

	CLAIMS FOR RELIEF	
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- | | | |
|--|--|---|
| <input type="checkbox"/> Administrative Appeal (ADMA) | <input type="checkbox"/> Limited Driving Privilege - Out-Of-State Convictions (PLDP) | <input type="checkbox"/> Product Liability (PROD) |
| <input type="checkbox"/> Appointment Of Receiver (APRC) | <input type="checkbox"/> Medical Malpractice (MDML) | <input type="checkbox"/> Real Property (RLPR) |
| <input type="checkbox"/> Attachment/Garnishment (ATTC) | <input type="checkbox"/> Minor Settlement (MSTL) | <input type="checkbox"/> Specific Performance (SPPR) |
| <input type="checkbox"/> Claim And Delivery (CLMD) | <input type="checkbox"/> Money Owed (MNYO) | <input checked="" type="checkbox"/> Other (<i>specify and list each separately</i>) |
| <input type="checkbox"/> Collection On Account (ACCT) | <input type="checkbox"/> Negligence - Motor Vehicle (MVNG) | Retaliation in violation of Civil Rights Act |
| <input type="checkbox"/> Condemnation (CNDM) | <input type="checkbox"/> Negligence - Other (NEGO) | |
| <input type="checkbox"/> Contract (CNTR) | <input type="checkbox"/> Motor Vehicle Lien G.S. Chapter 44A (MVLN) | |
| <input type="checkbox"/> Discovery Scheduling Order (DSCH) | <input type="checkbox"/> Possession Of Personal Property (POPP) | |
| <input type="checkbox"/> Injunction (INJU) | | |

Date	9-27-2021	Signature Of Attorney/Party	CCM ✓
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Signature Of Attorney/Party

CCM ✓

FEES IN G.S. 7A-308 APPLY

Assert Right Of Access (ARAS)
Substitution Of Trustee (Judicial Foreclosure) (RSOT)
Supplemental Procedures (SUPR)

PRO HAC VICE FEES APPLY

Motion For Out-Of-State Attorney To Appear In NC Courts In A Civil Or Criminal Matter (Out-Of-State Attorney/Pro Hac Vice Fee)

No.	<input type="checkbox"/> Additional Plaintiff(s)	
No.	<input type="checkbox"/> Additional Defendant(s)	<input type="checkbox"/> Third Party Defendant(s)

Plaintiff(s) Against Whom Counterclaim Asserted

Defendant(s) Against Whom Crossclaim Asserted